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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No.: CR 05-0375 SI
	)	
Plaintiff,	)	[PROPOSED] ORDER EXCLUDING
	)	TIME FROM SPEEDY TRIAL ACT
v.	)	<u>CALCULATION</u>
	)	
QUE DONALD HAC,	)	
	)	
Defendant.	)	
	)	

This matter came on for hearing before the Court on June 22, 2006. Defendant Que Donald Hac appeared in custody represented by Gilbert Eisenberg. The United States appeared through Assistant U.S. Attorney Audra Ibarra. Defendant Que D. Hac was released on conditions of bond agreed upon by the parties.

The parties represented that the government has previously provided voluminous discovery materials (according to the government, it includes more than 150,000 pages of images, plus DVD's and CD-ROMs as well as videotapes) to other defense counsel for other defendants charged in this and related cases. (The Court is familiar with the underlying case,

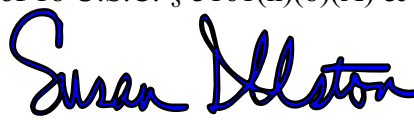
ORDER EXCLUDING TIME

1 United States v. Enrique Chan, et al., CR 05-0375 SI, which stemmed from a wiretap  
2 investigation and involved numerous defendants.) The parties further represented that  
3 defendant's counsel was making his first appearance in this case on June 22, 2006. Defense  
4 counsel and the defendant requested the continuance and agreed that a Speedy Trial Act  
5 exclusion is appropriate under 18 U.S.C. § 3161(h)(8), based upon counsel's need to review the  
6 discovery and become familiar with the case, and that it was necessary to provide reasonable  
7 time for effective preparation, taking into account the exercise of due diligence.

8 The case was scheduled for a hearing on August 28, 2006 at 4:00 p.m. before United  
9 States District Judge Susan Illston.

10 Accordingly, THE COURT FINDS that a continuance from June 22, 2006 through and  
11 including August 28, 2006 is appropriate, and that the ends of justice served by granting such a  
12 continuance outweigh the best interest of the public and the defendant in a speedy trial. THE  
13 COURT FURTHER FINDS that failure to grant such a continuance would deny the defendant  
14 and his counsel the reasonable time necessary for effective preparation of the case (including  
15 review of the voluminous discovery), taking into account the exercise of due diligence. THE  
16 COURT THEREFORE ORDERS that the period from June 22, 2006 through August 28, 2006 is  
17 excludible time within the meaning of 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

18  
19 DATED:



HON. SUSAN ILLSTON  
United States District Judge